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HOUSING & URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

The 12th January, 2024

No.1233—HUD-SANT-CASEOP-0003/2023/HUD.— Pursuant to the order dated 27th March, 2014 of the Hon'ble Supreme Court passed in Contempt Petition No.132/2012 arising out of WP(C) No.583/2003, the amount of compensation payable to the family of the deceased in the event of death while cleaning sewers, was fixed at Rs. 10.00 lakh each. Now, Hon'ble Supreme Court, in their judgement dated 23rd October, 2023 pronounced in WP(C) No.324/2020 filed by Dr Balram Singh vrs Others, have directed the states to ensure that the compensation amount payable in the event of sewer deaths is increased to Rs. 30 lakh and in case of sewer victims suffering disabilities, the minimum compensation amount shall not be less than Rs 10 lakhs in any case. If, however, the disability is permanent and renders the victim economically helpless, the compensation amount shall not be less than Rs 20 lakhs.

Now, therefore, in obedience to the judgement dated 23rd October, 2023 of Hon'ble Supreme Court, Government have been pleased to enhance the amount of compensation payable in the manner as specified below:

(a) In the event of sewer death (death during sewer/ septic tank cleaning) , the compensation amount shall be Rs 30 lakhs;

(b) (i) For the purpose of determining the amount of compensation to the victims of sewer and septic tank accidents, classification of injuries as per Schedule I of the EC Act, 1923 i.e., "Permanent total disablement", "Permanent partial disablement" and "Temporary disablement" shall be adopted.

(ii) In case accidents occur while undertaking sewer / septic tank cleaning which render the victim permanently total disabled and economically helpless, the amount of

compensation shall not be less than Rs 20 lakhs and shall be inclusive of payments due and admissible under EC Act.

(iii) In case of accidents attributable to sewer/ septic tank cleaning leading the victim to permanent partial disablement, the amount of compensation shall not be less than Rs 15 lakhs and shall be inclusive of payments due and admissible under EC Act.

(iv) In case of accidents attributable to sewer/ septic tank cleaning leading the victim to temporary disablement, the amount of compensation shall not be less than Rs 10 lakhs and shall be inclusive of payments due and admissible under EC Act.

(v) In case, the quantum of compensation as specified in (ii), (iii) and (iv) above are different from what is admissible under the EC Act, the victim shall be entitled for the higher amount.

(vi) In case the amount of compensation as per the above specifications (ii, iii and iv) becomes more than the amount admissible under EC Act, the differential amount shall be met from the Corpus Fund set up under the scheme "Garima".

(c) The rates of compensation as specified at (a) and (b) above shall be applicable with effect from 20th October, 2023 i.e., from the date of the judgement of Hon'ble Supreme Court pronounced in WP(C) No.324/2021. However in the event dependents of any victim have not been paid such amount, the above amount shall be payable to them.

ORDER

Ordered that the Notification be published in the Extraordinary issue of the *Odisha Gazette* for general information .

By Order of the Governor

G. MATHI VATHANAN

Additional Chief Secretary to Government